

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

SHIRLEY A. PENNY

PLAINTIFF

V.

NO. 5:05CV00327 JTR

MICHAEL J. ASTRUE,  
Commissioner, Social  
Security Administration<sup>1</sup>

DEFENDANT

**JUDGMENT**

Consistent with the Memorandum and Order entered on this day, IT IS CONSIDERED, ORDERED, AND ADJUDGED that judgment be entered for the Plaintiff, reversing the decision of the Commissioner, and remanding this case to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

DATED this 23<sup>rd</sup> day of March, 2007.

  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>Michael J. Astrue became the Commissioner of Social Security on February 12, 2007. He is therefore substituted for Jo Anne B. Barnhart pursuant to Fed.R.Civ.P 25(d)(1).